

Senate Daily Reader

Monday, February 06, 2012

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State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0168

SENATE COMMERCE AND ENERGY ENGROSSED NO. **SB 11** - 1/31/2012

Introduced by: The Committee on Commerce and Energy at the request of the Governor's
Office of Economic Development

1 FOR AN ACT ENTITLED, An Act to authorize the Governor's Office of Economic
2 Development to create and administer a working capital loan program.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 1-53 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 There is established within the state treasury a fund to be known as the small business credit
7 initiative fund for the purpose of making loans for economic development as permitted by the
8 Small Business Jobs Act of 2010, 12 U.S.C. 54.

9 Section 2. That chapter 1-53 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 The Governor's Office of Economic Development may accept, expend, or loan for the
12 purposes of this Act any funds previously received or to be obtained from federal sources and
13 any funds to be obtained from gifts, contributions, or any other source if such acceptance and
14 expenditure is reported as required by § 4-7-7.2.



1 Section 3. That chapter 1-53 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 Any repayment of loans and interest thereon shall be receipted into the small business credit
4 initiative fund and expended by the Governor's Office of Economic Development for the
5 following purposes:

6 (1) The payment of administrative costs as permitted pursuant to U.S. Office of
7 Management and Budget Circular A-87, Revised, as applicable, as in effect on
8 January 1, 2012;

9 (2) The payment of taxes and liens and for the procuring of legal services and any other
10 services necessary to protect, recover, maintain, or liquidate the assets of the small
11 business credit initiative fund as permitted pursuant to U.S. Office of Management
12 and Budget Circular A-87, Revised, as applicable, as in effect on January 1, 2012;
13 and

14 (3) The purpose of making loans for economic development as permitted by the Small
15 Business Jobs Act of 2010, 12 U.S.C. 54.

16 Section 4. That chapter 1-53 be amended by adding thereto a NEW SECTION to read as
17 follows:

18 The Governor's Office of Economic Development may take title by foreclosure or transfer
19 in lieu of foreclosure to any property given as security if the acquisition is necessary to protect
20 or collect any small business credit initiative loan and may sell, transfer, or convey any such
21 property to any responsible buyer.

22 Section 5. That chapter 1-53 be amended by adding thereto a NEW SECTION to read as
23 follows:

24 The meetings and deliberations of the Governor's Office of Economic Development

1 concerning small business credit initiative loans are confidential and are exempt from public
2 disclosure. Any documentary material or data made or received by the Governor's Office of
3 Economic Development for the purpose of acting upon an application for a small business credit
4 initiative loan or administering the loan, to the extent that such material or data consists of trade
5 secrets or commercial or financial information regarding the operation of such business, are not
6 considered public records, and are exempt from disclosure. Nothing in this section prohibits the
7 disclosure of confidential information to the extent necessary to collect or recoup the loan or as
8 may be required under applicable federal law.

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

490T0251

SENATE STATE AFFAIRS ENGROSSED NO. **SB 114** - 2/1/2012

Introduced by: Senators Nelson (Tom), Krebs, Lederman, Maher, Rampelberg, and Tieszen
and Representatives Verchio, Gibson, and Rozum

1 FOR AN ACT ENTITLED, An Act to designate the American bison as the state mascot animal.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 1-6 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 The American bison is hereby designated as the state mascot of South Dakota.



State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

717T0535

SENATE STATE AFFAIRS ENGROSSED NO. **SB 124** - 2/1/2012

Introduced by: Senators Rhoden, Adelstein, Begalka, Buhl, Cutler, Frerichs, Fryslie, Gray, Hansen (Tom), Holien, Hundstad, Hunhoff (Jean), Johnston, Juhnke, Kraus, Krebs, Lederman, Maher, Nelson (Tom), Nygaard, Olson (Russell), Peters, Putnam, Rampelberg, Rave, Schlekeway, Sutton, Tidemann, Tieszen, and Vehle and Representatives Lust, Bolin, Boomgarden, Brunner, Conzet, Dennert, Dryden, Greenfield, Hansen (Jon), Hickey, Hoffman, Hubbel, Hunhoff (Bernie), Jensen, Kirkeby, Liss, Lucas, Miller, Nelson (Stace), Olson (Betty), Perry, Romkema, Rozum, Sly, Tornow, Turbiville, Van Gerpen, Vanneman, Venner, Verchio, White, and Willadsen

1 FOR AN ACT ENTITLED, An Act to revise per student allocation for state aid to education,
2 to revise the property tax levies for the general fund of school districts, and to revise certain
3 provisions concerning state aid and local effort.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That subdivision (4) of § 13-13-10.1 be amended to read as follows:

6 (4) "Per student allocation," for school fiscal year ~~2012 is \$4,389.95~~ 2013 is \$4,494.28.

7 Each school fiscal year thereafter, the per student allocation is the previous fiscal
8 year's per student allocation increased by the index factor;

9 Section 2. That § 10-12-42 be amended to read as follows:

10 10-12-42. For taxes payable in 2012 and each year thereafter, the levy for the general fund
11 of a school district shall be as follows:



1 (1) The maximum tax levy shall be eight dollars and forty-nine ~~and one tenth~~ cents per
2 thousand dollars of taxable valuation subject to the limitations on agricultural
3 property as provided in subdivision (2) of this section, and owner-occupied property
4 as provided in subdivision (3) of this section;

5 (2) The maximum tax levy on agricultural property for such school district shall be two
6 dollars and thirty-eight ~~and eight tenths~~ cents per thousand dollars of taxable
7 valuation. If the district's levies are less than the maximum levies as stated in this
8 section, the levies shall maintain the same proportion to each other as represented in
9 the mathematical relationship at the maximum levies; and

10 (3) The maximum tax levy for an owner-occupied single-family dwelling as defined in
11 § 10-13-40 for such school district shall be three dollars and ninety-six ~~and five~~
12 ~~tenths~~ cents per thousand dollars of taxable valuation. If the district's levies are less
13 than the maximum levies as stated in this section, the levies shall maintain the same
14 proportion to each other as represented in the mathematical relationship at the
15 maximum levies.

16 All levies in this section shall be imposed on valuations where the median level of
17 assessment represents eighty-five percent of market value as determined by the Department of
18 Revenue. These valuations shall be used for all school funding purposes. If the district has
19 imposed an excess levy pursuant to § 10-12-43, the levies shall maintain the same proportion
20 to each other as represented in the mathematical relationship at the maximum levies in this
21 section. The school district may elect to tax at less than the maximum amounts set forth in this
22 section.

23 Section 3. That § 13-13-72 be amended to read as follows:

24 13-13-72. It is the policy of the Legislature that the appropriation for the state aid to

1 education foundation program increase on an annual basis by the percentage increase in local
2 need on an aggregate statewide basis so that the relative proportion of local need paid by local
3 effort and state aid shall remain constant. ~~For school fiscal year 2013, it is the policy of the~~
4 ~~Legislature that the relative proportion of the total local need paid by state aid shall be amended~~
5 ~~by adjusting the proportion of state aid to fifty-three and eight-tenths percent of the total local~~
6 ~~need.~~ However, the increase in the per student allocation on an annual basis that exceeds three
7 percent shall be paid solely by the state and is not a factor in this policy.

8 Section 4. The provisions of section 3 are effective on July 1, 2013.